

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Anthony Rosse on July 8, 2010.

The application has been amended as follows:

1. (Currently Amended) An apparatus and method for selectively or contemporaneously tenderizing and marinating meats or other selected food items, said apparatus comprising:

a bag comprising a mechanical tenderizing surface disposed therewithin, wherein said mechanical tenderizing surface comprises a plurality of protuberances, and

wherein said protuberances are sufficiently rigid to at least one of deform and penetrate an external surface of the meat or other selected food item disposed within said bag, and to thereby tenderize same,

wherein said mechanical tenderizing surface is in the form of a removably interchangeable tenderizing plate, said tenderizing plate comprising a mechanical tenderizing surface at least partially disposed thereon.

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Cancel claim 12.

In claim 13, line 1, delete "12" while inserting --1--.

Cancel claims 15-24.

### ***Conclusion***

Summary: Claims 1-11, 13, 14 and 25-30 are allowable over the prior art of record.

### ***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas Price whose telephone number is 571-272-6892. The examiner can normally be reached on M-F from 6:30a.m. to 3:00p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Poon can be reached on 571-272-6891. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Thomas Price/  
Primary Examiner, Art Unit 3643